

amendment offered by the gentleman from California (Mr. SCHIFF).

The question is on the amendment offered by the gentleman from California (Mr. SCHIFF).

The amendment was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT NO. 24 OFFERED BY MR. SCHIFF

The SPEAKER pro tempore. It is now in order to consider amendment No. 24 printed in part C of House Report 117-125.

Mr. SCHIFF. Madam Speaker, I have an amendment at the desk.

The SPEAKER pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle C of title X, insert the following:

SEC. 1024. PUBLIC AVAILABILITY OF MILITARY COMMISSION PROCEEDINGS.

Section 949d(c) of title 10, United States Code, is amended by adding at the end the following new paragraph:

“(4) In the case of any proceeding of a military commission under this chapter that is made open to the public, the military judge may order arrangements for the availability of the proceeding to be watched remotely by the public through the internet.”.

The SPEAKER pro tempore. Pursuant to House Resolution 667, the gentleman from California (Mr. SCHIFF) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. SCHIFF. Madam Speaker, I rise in support of this amendment.

In June 2020, as individuals came together to proclaim that Black lives matter and speak out against the murder of George Floyd, Donald Trump saw these lawful protests as an opportunity to once again abuse the power of his office.

The former President threatened to deploy U.S. military units to cities across the country to serve as de facto law enforcement. The threat only heightened an already tense situation and risked catastrophe had he followed through.

The posse comitatus laws protect American citizens against the abuse of the military as a domestic law enforcement agency, but it has loopholes that need to be fixed. My amendment would do so.

The goals of this amendment are simple: strengthen restrictions to ensure the mission of the U.S. military cannot be abused and protect the civil liberties of our citizens.

Madam Speaker, I urge support of the amendment, and I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. JORDAN. Madam Speaker, we already have laws that prohibit the United States military from carrying out domestic policy on United States soil. This amendment would prohibit

evidence obtained by the military in violation of the Posse Comitatus Act from being used in a court or other legal proceedings.

While I am actually sympathetic and believe this issue is one that is worthy of our consideration in its current form, I urge opposition. The issue is simply too complex to rush through here without careful consideration and deliberation in regular order.

The implications of this amendment are also unclear. We have a crisis on our southern border, a crisis that continues to be ignored by Democrats and is continually getting worse. What happens, for example, if the continued failures of the Biden policies cause the situation at our southern border to become so dire that our military is called to secure our border and the military obtains evidence of trafficking or smuggling or some other crime?

We simply do not know enough about changing this longstanding legal document here today to jam it into a National Defense Authorization Act. This is an issue that needs to go through a more robust process where the committees of jurisdiction can hold hearings and fully explore all possible consequences.

Madam Speaker, I urge my colleagues to oppose the motion, and I reserve the balance of my time.

Mr. SCHIFF. Madam Speaker, it is not that complicated. The current posse comitatus laws prohibit violation of this rule against using the military for law enforcement purposes but apply it only to two branches of the military, the Army and the Air Force. This would extend it to the other branches of the military. It is as simple as that.

It also provides that if you violate the law, you shouldn't use the evidence from the violation of that law in court proceedings. That is a well-established principle of criminal law, and it ought to apply here as well.

It is really quite simple. That is what this amendment would do.

Madam Speaker, I urge support, and I reserve the balance of my time.

Mr. JORDAN. Madam Speaker, I have no further speakers, and I reserve the balance of my time.

Mr. SCHIFF. Madam Speaker, I believe I have the right to close on this amendment, and I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from California is correct.

Mr. JORDAN. Madam Speaker, who has the right to close?

The SPEAKER pro tempore. The gentleman from California has the right to close.

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Mr. JORDAN. Madam Speaker, in closing, I would just say the gentleman in his introduction of the amendment said that while President Trump—he talked about President Trump and the riots that took place last summer—he said, well, I would just point out that while President Trump was talking

about deploying the military to deal with the riots that were happening in so many major urban areas around our great country, what were Democrats doing?

What were Democrats doing?

They were defunding the police, and they were raising money to bail the very rioters out who were destroying property and attacking police officers to raise money to bail those individuals out of jail. And now here tonight we have some policy that hasn't been through committee and hasn't been through any process trying to be put into the National Defense Authorization Act.

Again, Madam Speaker, I urge opposition to this, and I yield back the balance of my time.

Mr. SCHIFF. Madam Speaker, I will now close.

This amendment is quite simple. It would extend the posse comitatus law to all branches of the military so it is not abused.

This is not about defunding the police. That is the usual red herring argument when there is no argument to be made on the merits.

So this would simply say that the prohibition against abusing the military and dragging it as a method of enforcing domestic laws ought to be extended to every branch of the military not just two of the branches of the military. And those who would violate this law cannot use evidence gained in violation of the law against individuals. So that is what this amendment would do.

Madam Speaker, I urge its passage, and I yield back the balance of my time.

The SPEAKER pro tempore. Pursuant to House Resolution 667, the previous question is ordered on the amendment offered by the gentleman from California (Mr. SCHIFF).

The question is on the amendment offered by the gentleman from California (Mr. SCHIFF).

The amendment was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 4350 is postponed.

SENATE ENROLLED BILLS SIGNED

The Speaker announced her signature to enrolled bills of the Senate of the following titles:

S. 272.—An act to amend the Federal Funding Accountability and Transparency Act of 2006, to require the budget justifications and appropriation requests of agencies be made publicly available.

S. 325.—An act to amend the Alyce Spotted Bear and Walter Soboleff Commission on Native Children Act to extend the deadline for a report by the Alyce Spotted Bear and Walter Soboleff Commission on Native Children, and for other purposes.

ADJOURNMENT

The SPEAKER pro tempore. Pursuant to section 11(b) of House Resolution 188, the House stands adjourned